

United States Senate  
WASHINGTON, DC 20510-2503

June 14, 2000

The Honorable Carol M. Browner  
Administrator  
U.S. Environmental Protection Agency  
Ariel Rios Building  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

Dear Administrator Browner:

The purpose of this letter is to obtain an explanation from the U.S. Environmental Protection Agency (EPA/Agency) regarding its continued failure to implement recommendations of Inspector General audits. The ability of EPA to protect public health and improve the environment depends on an efficiently and effectively managed agency which responds to and fixes problems identified by the Inspector General (IG).

The IG recently forwarded to me a list of 54 audit reports on which EPA failed to reach a management decision with the IG within the 180 days mandated by OMB. EPA is required to provide the IG with corrective action plans and milestone dates addressing the problems identified in IG audits. I understand the Deputy Administrator recently asked EPA senior managers for an explanation for each of the delinquent responses. Unfortunately, the Deputy Administrator's request does not address the more important and pressing concern of EPA implementation of those corrective action plans.

According to the most recent *EPA Semiannual Report to the Congress on Audits*, "190 audit reports were without final [EPA corrective] action. Of these 190 audit reports, EPA officials had not completed final corrective action on 62 audits within one year after the management decision." Although the Agency chose to withhold such information from the most recent report to Congress, previous reports indicate that the Agency is allowing audit remedies to remain unresolved for as long as 10 years.

Even more disturbing, EPA has no idea when it will complete final corrective action for 20 of the 62 audits unresolved after more than a year. Again, the Agency withheld this information in the most recent report to Congress, but a cross-reference to previous reports showed "final action cannot be determined at this time" for an audit dating to 1990, one in 1991, four in 1992 and five in 1993. Offices with severely delinquent resolution problems include your own Administrator's Office, Office of Administration and Resources Management (responsible for grants management), Office of the Chief Financial Officer (responsible for the audit management process), Office of Enforcement and Compliance Assurance (responsible for compliance with regulations and statutes) as well as the Office of Solid Waste and Emergency Response and Regions 4 and 5.

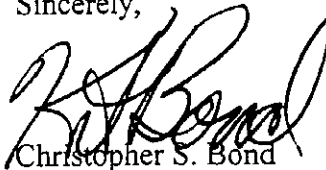
Unresolved audits address problems at the core of EPA's mission to protect public health and the environment. Final action is unknown on audits related to inspecting PCBs, importing pesticides, accessing data on hazardous wastes and providing environmental education. Over \$166 million in improper costs charged by contractors or grantees remains unrecovered by EPA. When EPA allows its contractors and grantees to waste taxpayer funds it prevents those resources from being used to improve the environment. I might add that collection of even a fraction of the \$166 million would fund several of the administration's new Fiscal Year 2001 budget priorities.

The most alarming example of EPA's failure to address completely IG recommendations may be a matter of life and death for your own employees. In 1996, the IG released a report entitled *Minimizing Risk for the Physically Challenged at Waterside Mall* (#6100150). The report found that EPA procedures for emergency evacuation of handicapped or otherwise physically challenged employees at the Agency's main headquarters building were woefully inadequate. Seventy-six percent of the physically challenged surveyed by the IG at the building did not know what to do in case of an emergency. EPA did not assign monitors to assist physically challenged staff and a list of key evacuation personnel was not current. Survey comments included, "I work on the 9th floor. In a fire emergency elevators are turned off. I use crutches and need help. During several drills, no help was provided." After four years, "while most of the recommendations have been completed, final action cannot be determined at this time."

EPA's continued failure to respond to audit recommendations is clearly unacceptable. It is not enough to send periodic reports to Congress or focus senior management attention on formulating corrective plans. The Agency must actually implement those plans fully and completely to recover money and fix problems as soon as possible. The sooner EPA can resolve outstanding audit recommendations the sooner every dollar entrusted to EPA can be spent on improving the environment, every program can fully protect human health, and every EPA employee is assured a safe work environment.

To ensure EPA progress on resolving these issues, please forward to 428A Russell Senate Office Building by June 30, 2000, a brief description of the status of each overdue management response to the IG. Include also a brief description of the status of each of the audit reports with a management decision but no final action after one year. Such descriptions should follow the format EPA used in its Spring 1999 Semiannual Report to Congress and include the outstanding recommendations or commitments and an estimation of the final action date. The response that "final action cannot be determined at this time" is unacceptable. If you have any questions regarding these concerns, please contact John Stoodly at 224-5175. Thank you in advance for your attention to this matter.

Sincerely,



Christopher S. Bond